MEMORANDUM TO: Martin J. Virgilio, Director
Office of Nuclear Material Safety
and Safeguards

THRU: Michael F. Weber, Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Eric J. Leeds, Chief
Special Projects Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

SUBJECT: REQUEST FOR DELEGATION OF AUTHORITY FOR QUALIFICATION PROGRAMS

One action resulting from the Division of Fuel Cycle Safety and Safeguards Employee Empowerment Task Force was a review of the Division's responsibilities, goals, objectives, and implementation of the qualification program for inspectors, project managers, and license and technical reviewers, in accordance with the Nuclear Regulatory Commission (NRC) Inspection Manual Chapter 1246 requirements. This review by a staff task force identified a variety of responsibilities and authorities in Chapter 1246 that are assigned to the Office Director that would be more appropriate at the branch and section management levels, where in practicality, they are actually performed. The specific Chapter 1246 requirements are excerpted for reference in Attachment 1. The task force recommended that the authority for these qualification program actions be delegated from the Office Director to the Branch Chiefs.

The delegation of this authority would be in keeping with the Nuclear Material Safety and Safeguards management initiatives for staff empowerment. The qualification plans and procedures, certifications, waivers, and exceptions will continue to be prepared, documented, and recommended by the qualification candidates and Section Chiefs. The approval of the Branch Chief will provide assurance of compliance with Office and Division objectives, as well as NRC requirements and policy.

Your concurrence and approval of this delegation is requested. A draft memo (Attachment 2) is attached for your review and use if you agree with this request.

Attachments:
1. Inspection Manual Chapter 1246-05 Excerpts
2. Draft Memorandum

CONTACT: Wilkins Smith, NMSS/SPB
(301) 415-5788

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(301) 415-5788
ADAMS Accession NO:**ML012560077**
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OFC	SPB	E	SPB	E	SPB		SPB	
NAME	*WSmith:dw		*DHoadley		*ELeeds		*MWeber	
DATE	9/12 /01		9/13 /01		9/13/01		9/ /01	

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INSPECTION MANUEL FOR CHAPTER 1246-05 EXCERPTS

1246-05 RESPONSIBILITIES AND AUTHORITIES

05.02 **Director, Office of Nuclear Materials Safety and Safeguards (or designee). Establishes the training requirements needed for NMSS program area personnel to qualify to perform inspection and licensing activities. Ensures that headquarters inspectors and reviewers achieve and maintain qualifications in accordance with the guidelines provided in this chapter. Develops procedures for the implementation of this chapter for NMSS inspectors, license reviewers and project manager/technical reviewers. Certifies that headquarters inspectors, reviewers and project manager/technical reviewers are qualified under this chapter.**

05.04 **Directors, NMSS and Regional Divisions. Assist the ADTD in developing, monitoring and reviewing training courses for NMSS program area qualification program. Identify and document in an individual's Qualification Journal, specialized training activities necessary to supplement core training requirements.**

1246-08 ORAL QUALIFICATION BOARD

The Board assesses the qualifications of an individual to conduct the prescribed NRC inspection or licensing program. The Board will recommend to the Regional Administrator, Office Director or their designee whether or not the individual should be certified as a qualified inspector, license reviewer, or project manager/technical reviewer.

The Regional Administrator's, **Office Director's or designee's certification will be documented in the inspector's, license reviewer's, or project manager/technical reviewer's official personnel file (OPF) and the date entered in the agency wide training tracking system.** This date determines when refresher training is due for each qualified individual.

1246-09 INTERIM INSPECTOR AND LICENSE REVIEWER QUALIFICATION

An inspector, license reviewer, or project manager/technical reviewer who has not completed all requirements for final certification in one of the areas listed in the applicable section in Appendix A may obtain interim qualification to independently perform inspections or conduct license reviews in specified areas for which prescribed training has been completed. To establish an interim certification, the individual's supervisor will evaluate the individual's qualifications and identify the categories for which interim qualification is appropriate. A request will then be generated through the individual's management for interim qualification in the identified areas. **The request should be approved by the Regional Administrator, Office Director, or their designee.** Approval of interim qualification will be documented and a record kept in the individual's training file.

INSPECTION MANUEL FOR CHAPTER 1246-05 EXCERPTS

1246-11 EXCEPTIONS

11.01 Inspectors, license reviewers, or project manager/technical reviewers who, through education and prior experience of at least 5 years in the specific field, possess sufficient knowledge to meet minimum requirements, may be grandfathered. **Requests for such exemptions should be made from the individual's supervisor to the Office Director** or the Regional Administrator and should consider the candidate's ability to conduct inspections or licensing activities without the benefit of the additional knowledge and regulatory perspective which would be gained by attending the specific courses.

11.02 Inspectors, license reviewers, or project manager/technical reviewers qualified for one program area covered in this manual chapter, such as those for fuel cycle facilities, need not duplicate qualification requirements that are common for another discipline, such as Materials Health Physicist. **The individual, after completing the additional training required, including all of the necessary specialized and technical training for the new discipline, may receive qualification in writing from the Office Director or their designee without the need for a Qualification Board, provided that the common requirements (such as requalification courses) have been kept up to date.**

11.04 The Regional Administrator or **Office Director or their designee has the authority to waive any requirement or extend the time period for any requirement listed for an inspector, reviewer, or project manager/technical reviewer in this manual chapter.** Justification for the waiver or extension will be documented, and entered into the individual's training file.

DRAFT

MEMORANDUM TO: Division Directors, Deputy Directors,
Branch Chiefs, Section Chiefs,
and Team Leaders
Office of Nuclear Material Safety
and Safeguards

FROM: Martin J. Virgilio, Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT; DELEGATION OF AUTHORITY FOR QUALIFICATION PROGRAMS

One action resulting from the FCSS Employee Empowerment Task Force was a review of the Division's responsibilities, goals, objectives, and implementation of the qualification program for inspectors, project managers, and license and technical reviewers, in accordance with the NRC Inspection Manual Chapter 1246 requirements. This review identified a variety of responsibilities and authorities in Chapter 1246 which are assigned to the Office Director that would be more appropriate at the branch and section management levels.

The task force recommendation that the authority for these qualification program actions be delegated from the Office Director to the Branch Chiefs is approved. This delegation will be incorporated into the next issuance of the NMSS Delegation of Authority.

The delegation of this authority is in keeping with the NMSS management initiatives for staff empowerment. The qualification plans and procedures, certifications, waivers and exceptions will continue to be prepared, documented and/or recommended by the qualification candidates and Section Chiefs. The approval of the Branch Chief will assure compliance with NRC requirements and policy.

cc: NMSS EMPOWERMENT TASK FORCE
Charlotte Abrams
Merritt Baker
Tamara Bloomer
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